IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

MFA.No. 1134 of 2001(C)

OPMV.1638/1996 of MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM

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APPELLANT/PETITIONER:

DR.K.C.BABU S/O.K.T.CHERU, RESIDING AT MOOLAPAT HOUSE, MANJAKKAD, SHORANUR IN OTTAPPALAM TALUK.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS/RESPONDENTS:

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1. R.RADHAKRISHNAN S/O.RAMU, 75-SANGHAM ROAD, SUNDARAPURAM, COIMBATORE, (OWNER OF CAR T.S.A.1950).

2. P.V.JOHN, S/O.VARKEY, PULLANBRA HOUSE, EZHAKKAD POST, MUNDUR IN PALAKKAD DT.

3. UNITED INDIA INSURANCE CO. LTD., NEHRU STREET, THIRUPUR (INSURER OF CAR T.S.A.1950) (POLICY NO.171300/338/2508/0126696/95)

THIS MISC. FIRST APPEAL HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J.

M.F.A.No.1134 of 2001

Dated, this the 31st day of October, 2007

JUDGMENT

Appellant is the owner of a motor car which sustained damages in an accident. He claimed an amount of Rs.75,000/- as compensation towards the damages sustained to the car. Tribunal after trial found that the appellant is entitled to get Rs.33,481/- as compensation but the liability of the third respondent insurer was limited to Rs.6,000/-. Challenging that award this appeal is filed. Ext.B1 policy produced shows that it was only an Act policy and the liability of the insurer is limited. Quantum of compensation awarded is also reasonable. I do not find any reason to interfere with the award under challenge. No merit in the appeal and it is only to be dismissed.

In the result, appeal is dismissed.

K. PADMANABHAN NAIR,
JUDGE.

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K.PADMANABHAN NAIR, J.

M.F.A.No.1134 of 2001

JUDGMENT

31st October, 2007.